



State of California

# LITTLE HOOVER COMMISSION

June 6, 2010

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*Executive Director*

The Honorable Loni Hancock  
Member, California State Senate  
State Capitol, Room 2082  
Sacramento, CA 95814

**RE: SUPPORT FOR SENATE BILL 210**

Dear Senator Hancock,

The Little Hoover Commission supports Senate Bill 210, the measure you have authored that would revise the factors that a judge or magistrate is required to use in setting, reducing or denying bail, or determining conditions for pre-trial release to include not just protection of the public, the seriousness of the offense, the defendant's previous criminal record and the probability of the defendant appearing at trial or a hearing, but also the history and characteristics of the defendant and the nature and circumstances of the offense. The Commission also is supportive of the bill's provisions authorizing use of pre-trial investigative reports and evidence-based pre-trial risk assessments, as well as supervision staff to monitor compliance, when making decisions about releasing defendants on their own recognizance. The Commission supports this measure based on studies it has completed on California's bail, pre-trial release and sentencing systems.

In its May 30, 2013, letter to the Governor and the Legislature on bail and pre-trial release policies as state prison realignment added to crowding pressures in county jails, the Commission noted that detainees awaiting trial represented the largest category of jail inmates and more than 60 percent of the statewide jail population. The Commission's letter cited the frequent releases of pre-trial defendants by county sheriffs and jail administrators without the use of pre-trial services or evidence-based practices such as validated risk and needs assessments. The Commission recommended the mandatory use of validated risk and needs assessments in each of California's 58 counties, stating that they can help judges and other participants in the criminal justice system make better-informed decisions when setting bail and releasing defendants on their own recognizance or to alternative supervision.

SB 210 addresses the Commission's recommendations by expanding the factors a judge can consider in decision-making regarding pre-trial defendants and authorizing use of evidence-based tools in pre-trial release decisions that would make better use of county jail space as realignment continues to evolve. For these reasons, the Commission supports this measure. If you have any questions, or if I can be of any further assistance, please do not hesitate to contact me.

Sincerely

Carole D'Elia  
Executive Director

C: Commissioners, Little Hoover Commission